

Remarks

The Examiner has rejected apparatus claims 1 and 36-39 under 35 U.S.C. §102(b) as being anticipated by Cash U.S. Patent No. 5,509,365 and 40-41 under 35 U.S.C. §103(a) as being unpatentable over Cash in view of Schwartzberger et al. U.S. Patent No. 5,782,193. Method claims 15-18 and 22-35 have been allowed.

Applicants had previously made an election of the subject matter of the method claims and had amended the apparatus claims to read on an embodiment of a quilting machine capable of performing the claimed method. Applicant has now further amended these apparatus claims to more particularly focus on the elected species, and defer all unclaimed subject matter to pending and future divisional or other continuing applications.

The sole rejected independent claim, claim 1, has been canceled and replaced with claim 42. Claim 42 focuses on select embodiments of an apparatus that make possible the stitching of first and second series of stitches closer together than the longitudinal distance between the stitching elements when both series are being sewn simultaneously. For this to occur, it must be possible to sew with one group of stitching elements and not the other and to further control the operation of the stitching elements and movement between the substrate and stitching elements to begin or end series of stitches closer together than the groups of stitching elements are spaced. Claim 42 recites the machine features that accomplish this. The cited references do not suggest this feature.

Regarding Cash, the selective operability of the stitching elements refers to a 180 degree phase relationship between needles on two needle bars that rock out of phase. However, the needles on one bar are not capable of sewing a series of stitches without also sewing a series of stitches with the needles of the other needle bar, as claim 42 provides. So Cash does not anticipate claim 42 and the other pending apparatus claims, nor does Cash in view of Schwartzberger render obvious any of these claims.

Stutzacker U.S. Patent No. 6,895,878, cited by the examiner but not applied, discloses a multi-needle quilting machine having selectable rows of needles, that can sew series of stitches with one set of needles but not the other. However, Stutzacker discloses neither method of sewing claimed by applicant nor the control to bring that about. Specifically, Stutzacker

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neither discloses nor suggests a controller programmed as recited in claim 42, which is the embodiment that produces the advantages of the invention.

Based on the amendments and remarks set forth above, it is submitted that all claims are allowable. Accordingly, an early allowance is respectfully requested.

Should the examiner determine that formal matters or other issues remain unresolved, a telephone interview with the undersigned is requested to expedite placing the application in condition for allowance.

Applicants do not believe that any fees are due in connection with this submission. However, if such extension is due or any other fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

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